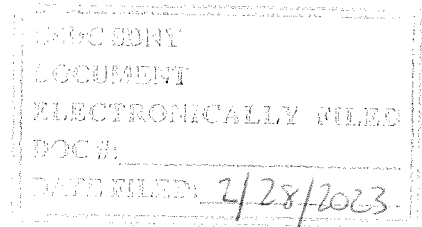


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK-----X
UNITED STATES OF AMERICA,

v.

PEDRO RAINEY,

Defendant.
-----X**ORDER**

S3 20 CR 444 (VB)

In a letter dated February 9, 2023 (which has been separately docketed), defendant Pedro Rainey requests that the Court clarify that he did not plead guilty to an offense involving 100 grams or more of heroin pursuant to 21 U.S.C. § 841(b)(1)(B). Rainey is correct.

As set forth in the Superseding Information to which Rainey pleaded guilty on March 10, 2022 (docket no. S3 20 CR 444 (VB) (the "S3 Information")), a copy of which is attached hereto, Rainey pleaded guilty to conspiring to distribute and possess with intent to distribute: (1) 28 grams and more of cocaine base (crack), in violation of 21 U.S.C. § 841(b)(1)(B), and (2) mixtures and substances containing a detectable amount of heroin, fentanyl, and cocaine, in violation of 21 U.S.C. § 841(b)(1)(C). In other words, his Section 841(b)(1)(B) conviction was based only on cocaine base (crack), and his Section 841(b)(1)(C) conviction was based on a combination of heroin, fentanyl, and cocaine.

The specific drug quantities for which Rainey was held responsible are set forth in paragraph 30 of the Revised Presentence Investigation Report, as follows: 167 grams of cocaine base (crack); 60 grams of heroin; 43 grams of cocaine; and 14.65 grams of fentanyl.

Chambers will mail a copy of this Order and the S3 Information to defendant at the following address:

Pedro Rainey, Reg. No. 78334-054
FCI Butner Medium II
Federal Correctional Institution
P.O. Box 1500
Butner, NC 27509

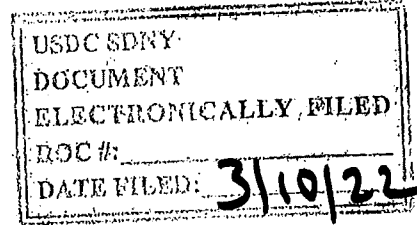
Chambers will also mail a copy of this Order and the S3 Information to the Warden at FCI Butner Medium II. The Court requests that the Warden forward this Order and the S3 Information to the appropriate inmate records and/or case management department at the facility.

Date: February 28, 2023
White Plains, NY

SO ORDERED:

Vincent L. Briccetti
United States District Judge

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK



UNITED STATES OF AMERICA

- v. -

PEDRO RAINEY,
a/k/a "P,"
a/k/a "Supermodel P,"

Defendant.

SUPERSEDING
INFORMATION

S3 20 Cr. 444 (VB)

COUNT ONE

(Narcotics Conspiracy)

The United States Attorney charges:

1. From at least in or about July 2019 up to and including in or about August 2020, in the Southern District of New York and elsewhere, PEDRO RAINEY, a/k/a "P," a/k/a "Supermodel P," the defendant, and others known and unknown, intentionally and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of the conspiracy that PEDRO RAINEY, a/k/a "P," a/k/a "Supermodel P," the defendant, and others known and unknown, would and did distribute, and possess with the intent to distribute, controlled substances, in violation of Title 21, United States Code, Section 841(a)(1).

3. The controlled substances that PEDRO RAINEY, a/k/a "P," a/k/a "Supermodel P," the defendant, and others known and unknown, conspired to distribute and to possess with the intent to distribute were 28 grams and more of mixtures and substances containing a detectable amount of cocaine base, in violation of Title 21, United States Code, Section 841(b)(1)(B), and mixtures and substances containing a detectable amount of heroin, fentanyl, and cocaine, in violation of Title 21, United States Code, Section 841(b)(1)(C).

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION

4. As a result of committing the offense alleged in Count One of this Superseding Information, PEDRO RAINEY, a/k/a "P," a/k/a "Supermodel P," the defendant, shall forfeit to the United States, pursuant to Title 21, United States code, Section 853, any and all property constituting, or derived from, any proceeds obtained, directly or indirectly, as a result of said offense and any and all property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of, said offense, including but not limited to a sum of money in United States currency representing the amount of proceeds traceable to the commission of said offense.


SUBSTITUTE ASSET PROVISION

5. If any of the above-described forfeitable property, as

a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred, or sold to, or deposited with, a third party;
- c. has been placed beyond the jurisdiction of the court;
- d. has been substantially diminished in value; or
- e. has been comingled with other property which cannot be divided without difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of the defendant up to the value of the above forfeitable property.



DAMIAN WILLIAMS
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

v.

PEDRO RAINEY,
a/k/a "P,"
a/k/a "Supermodel P,"

Defendant.

SUPERSEDING INFORMATION

S3 20 Cr. 444 (VB)

(21 U.S.C. §§ 841(a)(1), 846.)

DAMIAN WILLIAMS
United States Attorney
